



California Regional Water Quality Control Board

San Diego Region



Terry Tamminen
Secretary for
Environmental
Protection

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Arnold Schwarzenegger
Governor

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

7004 0750 0000 7625 1811

October 29, 2004

Mr. Bob Burggraf
Mr. Sam Hyder
R & B Profit Sharing Plan
5070 Lindsay Court
Chino, CA 91710

In Reply Refer to:
TSMC:14-1010.02:peass

Dear Messers. Burggraf and Hyder:

**RE: INVESTIGATION ORDER NO. R9-2004-0390: CAMERON CORNERS
MARKET, 31484 HIGHWAY 94, CAMPO, CALIFORNIA**

On September 30, 2004 the California Regional Water Quality Control Board – San Diego Region (Regional Board) received your “Third Quarter 2004 Groundwater Discharge Report” dated September 29, 2004, for compliance with Waste Discharge Requirement Order No. R9-2003-0111.

Onsite groundwater treatment was conducted between August 23, 2004 to August 30, 2004, and one sample of treated groundwater (effluent) was collected for analysis on August 30, 2004. The analytical results indicate that the effluent contained 2,080 µg/L of Total Petroleum Hydrocarbons quantified as diesel (TPHd). The discharge of treated groundwater/effluent containing the reported concentration of TPHd is a violation of the discharge requirements in Order No. R9-2003-0111. Since only one effluent sample was collected during the treatment period in late August 2004, it is not known exactly how long the violations occurred at the site. However, it is possible that the violations occurred during the entire seven day period from August 23 to 30, 2004.

On October 29, 2004, the Regional Board issued a Notice of Violation (NOV R9-2004-0391) for the discharge of effluent from the onsite operations of High Vacuum Dual Phase Extraction (HVDPE) system. Future onsite operations of the HVDPE system need to be more frequently monitored to ensure that any discharge of effluent are in compliance with Order R0-2003-0111.

Pursuant to the authority under California Water Code (CWC) section 13267, you are hereby ordered to provide the Regional Board with additional technical monitoring reports containing the following information:

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1. Analysis data from sampling the effluent for constituents required per the Monitoring and Reporting Program No. R9-2003-0111 before any effluent is discharged to land.
2. Analysis data from sampling the effluent in the middle and end of the HVDPE treatment period for constituents required per the Monitoring and Reporting Program No. R9-2003-0111.

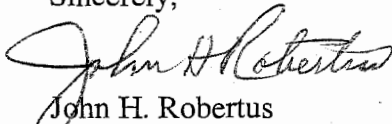
Any person failing or refusing to furnish information required under the authority of CWC section 13267 or falsifying information submitted to the Regional Board pursuant to such a directive is guilty of a misdemeanor and may be subject to civil liability. Civil liability may be imposed administratively by the Regional Board in an amount of up to \$1,000 per day of violation (i.e., for each day of delay in submitting **all** information requested, or for each day that false information remains uncorrected).

If you wish to dispute the factual basis of, or the legal conclusions set forth in this order, you must submit all evidence and argument supporting rescission or modification of the order to the Regional Board within 14 days of the date of the order. Within 14 days the Regional Board will respond to your submission in writing, or advise you when a written response upholding, modifying, or rescinding the investigative order will be issued. You would have 30 days from the date of such response to file a petition for administrative review under Water Code section 13320 with the State Water Resources Control Board.

The heading portion of this letter includes a Regional Board code number noted after "In reply refer to:" In order to assist us in the processing of your correspondence please include this code number in the heading or subject line portion of all correspondence and reports to the Regional Board pertaining to this matter.

If you have any questions, or require additional assistance, please contact Ms. Sue Pease of my staff at (858) 637-5596 or by email at spease@waterboards.ca.gov.

Sincerely,



John H. Robertus
Executive Officer

San Diego Regional Water Quality Control Board



Messers. Burggraf & Hyder
Cameron Corners: Order No. R9-2004-0390

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October 29, 2004

JHR/jro/sjp

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File #14-1010.02

cc: Mr. Noel Shenoi, CalClean Inc., 3002 Dow Avenue, Suite 142, Tustin, CA 92780

Mr. Ewan Moffat, County of San Diego, Department of Environmental Health, Site Assessment and Mitigation Program, 5201 Ruffin Road, San Diego, CA 92123

Mr. Robert Trommer, State Water Resources Control Board, Division of Clean Water Program, P.O. Box 944212, Sacramento, CA 94244-2120

Mr. Robert B. Hansen Alta EM, Inc. 8300 Utica Avenue Rancho Cucamonga, CA 91730

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